

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
JUNE 8, 2010**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, June 8, 2010, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Assistant Police Chief Nathan Schmitt, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Personnel/Safety Director Charles Schneider, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present, which is a majority; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on May 25, 2010. Thereafter, a **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to approve the minutes as published. Motion carried 3-0.

DUBOIS COUNTY SOLID WASTE OFFICE AT LANDFILL

Dubois County Solid Waste District Director Toni Lubbers asked permission to move her office to the process center at the former City landfill. She stated the Health Department needs more room so the County wants to relocate the Solid Waste office.

Mayor Schmitt said the City has an agreement with the County to store magazines, etc. at the old landfill but the agreement does not include the use of office space on a regular basis.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt

to amend the agreement with the County to include an office for the Solid Waste Director at the old Jasper landfill site as one of the uses. Motion carried 3-0.

IVY MANOR PARKING REQUEST

Janet Schitter, owner of Ivy Manor located at 215 E. 9th Street, requested three, two-hour parking spaces in front of her business for her customers. Schitter said after she made this same request several months ago [at the September 8, 2009 meeting] the problem with certain neighbors who live across the street but park in front of her business resolved itself but now the same parking problem is occurring. She said certain neighbors that live on the north side of 9th Street are parking on the south side of 9th Street in front of her store instead of parking in front of their house that has parking space available.

Schitter reviewed where the two-hour parking signs are in the area and said she wants what other businesses have.

An aerial photo of the location was shown. Mayor Schmitt stated an intense study was done when the parking meters were removed and regulated parking areas were determined. He said since there is available parking across the street he thinks that can serve the same purpose as parking in front of Schitter's business. Schmitt said he has been watching that area and there seems to be open parking in that area. He also said he is hesitant to change anything unless the whole block is parked full all the time.

After some discussion, it was noted the police department has the license plate number of the vehicle[s] that always park in front of Schitter's business.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to table the request and have the police department check into it further and will have an answer at the next meeting. Motion carried 3-0.

STRASSENFEST STREET CLOSINGS

Bridget Jarboe, representing the Jasper Strassenfest Committee, asked permission to close the following streets for the Jasper Strassenfest which are the same as last year:

<i>Monday, August 2nd</i>	6:00 p.m. Main Street between 3 rd and 5 th 4 th and 5 th Streets between Jackson and Newton Closed until the conclusion of the fest
<i>Wednesday,, August 4th</i>	3:00 p.m. to 9:00 p.m. Main Street adjacent to City Hall Building to 8 th Street 7 th Street between Newton Street and the east side of City Hall
<i>Wednesday, August 4th</i>	5:30 p.m. to 9:00 p.m. Main Street between 5 th Street and 8 th Street, entire Public Square, 6 th Street between Jackson and Newton
<i>Thursday, August 5th</i>	4:30 p.m. The Public Square at the following intersections: 4 th & Newton Street, 5 th & Newton Street, 6 th & Newton Street, 7 th & Newton Street,

	8 th & Newton Street, 4 th & Jackson Street, 5 th & Jackson Street, 6 th & Jackson Street, 7 th & Jackson Street, 8 th & Jackson Street, Main Street between 3 rd Street and 9 th Street
<i>Thursday, August 5th</i>	5:45 p.m. to 7:00 p.m. 6 th Street between Mill Street and ONB parking lot and Public Square
<i>Friday, August 6th</i>	4:30 p.m. Closing the same intersections and Public Square as Thursday, August 5 th
<i>Friday, August 6th</i>	4:30 p.m. 6 th Street between McCrillus and Mill Street until the conclusion of the water ball contest
<i>Saturday, August 7th</i>	7:00 a.m. until conclusion of Wettlauf Race Main Street between 7 th Street and 9 th Street
<i>Saturday, August 7th</i>	8:00 a.m. to midnight the Public Square at the following intersections: 4 th & Newton Street, 5 th & Newton Street, 6 th & Newton Street, 7 th & Newton Street, 8 th & Newton Street, 4 th & Jackson Street, 5 th & Jackson, 6 th & Jackson Street, 7 th & Jackson, 8 th & Jackson, Main Street between 3 rd Street and 9 th Street
<i>Saturday, August 7th</i>	6:00 a.m. to midnight for afternoon activities Riverwalk, train depot, farmers' market lot and related parking lots
<i>Sunday, August 8th</i>	11:00 a.m. until 5:00 p.m. the Public Square at the following intersections: 4 th & Newton street, 5 th & Newton Street, 6 th & Newton Street, 7 th & Newton Street, 8 th & Newton Street, 4 th & Jackson Street, 5 th & Jackson Street, 6 th & Jackson Street, 7 th & Jackson Street, 8 th & Jackson Street, Main Street between 3 rd Street and 9 th Street
<i>Sunday, August 8th</i>	11:30 a.m. until conclusion of parade and bed race. Optimist Club will provide a detailed listing of street closings
<i>Sunday, August 8th</i>	From conclusion of parade and bed race Main Street from the Public Square to 9 th Street

Other. Use City Hall parking lot for handicap parking only.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the street closings as listed for the 2010 Strassenfest. Motion carried 3-0.

ENCROACHMENT REQUEST

Gerald Miller representing Memorial Hospital and Kevin Tretter representing Seufert Construction, the contractor for the project, asked permission to encroach upon an easement containing a storm sewer and a sanitary sewer line on the east side of the hospital along the old Memorial Drive in order to build a

Healing Garden. Tretter displayed a map of the area and explained what the project entails. Tretter said there will be a trellis structure fastened to limestone columns. It will have a concrete pad for a sitting area. The concrete makes it wheelchair and ADA accessible. He said disassembling the structure would not be much of an issue.

City Engineer Chad Hurm said the sanitary sewer line serves more than the hospital. Hurm then read some of the comments submitted by the department heads such as the wastewater manager does not recommend approving the encroachment and the building commissioner recommends relocating the trellis because of the storm sewer.

City Attorney Sandra Hemmerlein said the hospital applied for a building permit that said the structure will cost \$200,000.00. The City came up with an encroachment policy and we say under certain circumstances we will not allow an encroachment and these issues are some of them. Hemmerlein said this is a beautiful project but even though the hospital would sign off that they are responsible for costs, do the people understand that in the future if there is a problem there are some risks and there may not be enough time to take down the trellis. This project cost a lot of money.

Gerald Miller said the hospital understands that if the City has to access the utilities, the hospital will pay for it. There are slope issues to deal with that would make it difficult to move the trellis to the west.

Charlotte Donan, co-chair of the project, said \$260,000.00 was raised from private donations for this project that is also co-chaired by Beth Dawkins. She said the hospital will assume responsibility.

Mayor Schmitt said the City cannot ignore the infrastructure that is underground. He is concerned that the sanitary sewer line serves others. We are responsible to all the citizens. If we have to tear it down, it will be a very unpopular thing particularly with the donors. Schmitt said this is a great project but why wasn't it designed so it isn't over the lines.

Kevin Tretter said he didn't explore the matter thoroughly because he thought it was a private line and accepts responsibility for missing it.

There was some discussion about moving the sanitary sewer line, moving the structure, or making the concrete pad smaller. There was also some discussion about the location of the fence and railing.

After Mayor Schmitt said he thought there were too many questions and issues, he made a **motion** to deny the request for an encroachment. The motion died for lack of a second.

Thomas Schmidt suggested going back to the drawing board and take a look at it again and come back at the next meeting.

Mayor Schmitt said we are responsible for the infrastructure and have to be able to get to it without adding more cost. We have to preserve our easements and rights-of-way or else we are asking for trouble for future generations and administrations.

Street Commissioner Raymond Eckerle explained what area would be needed to fix the problem should the storm sewer fail. He said moving the structure a small distance will not help because massive equipment would be needed for the repair.

Thomas Schmidt said the exact location of the line needs to be determined and it needs to be determined if the structure is permanent. Schmidt said he will go look at the site.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to table the request until we get more information and come back to the July 13, 2010 meeting. Motion carried 3-0.

VOICE MAIL REPAIR

Mayor Schmitt said the voice mail portion of the city hall phone system needs an emergency repair.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the repair of the city hall voice mail. Motion carried 3-0.

MOSQUITO TESTING

Street Commissioner Raymond Eckerle reported that the first round of mosquito testing has been completed. They tested 73 sites. He furnished the board with a summary report containing the results of the testing.

FALLEN TREE

Street Commissioner Raymond Eckerle reported a tree located below 1st Street between Jackson and Main Street has fallen into the river. Alan Small from the Upper Patoka River Conservancy District has been contacted about removing the tree.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt through the Upper Patoka River Conservancy District have the tree removed that has fallen in the river between Jackson and Main Street. Motion carried 3-0.

STATE SALT BID

Street Commissioner Raymond Eckerle said previously he received permission to participate in the State salt bid process by committing to purchase 1,000 tons of salt. Last week he received the results of the bids from the State. For the Vincennes District, North American Salt was awarded the contract for \$59.34 per ton. He said both bins are full and the City has 900 tons on hand.

MICRO SURFACING PROGRAM

Street Commissioner Raymond Eckerle said the two companies that will do sample micro surfacing will do it this year rather than last year. The first company is Strawser Construction who plans to mobilize to Jasper this Wednesday and start the process on Thursday, weather permitting. Eckerle noted the areas they will test. At the appropriate time, the residents will be informed about what is going on.

FEDERAL SURPLUS TRUCKS

Street Commissioner Raymond Eckerle said at the last meeting he received permission to look into purchasing two dump trucks from Federal Surplus for \$1,500.00 each. He later discovered they were located in Camp Pendleton, California not Pendleton, Indiana.

AED UNITS

Personnel/Safety Director Charles Schneider reported that the four AED units donated by the Moose have been installed at Ruxer Golf Course, in the Mill, in one of the train cars, and at the swimming pool.

FIRE STATION #2

Personnel/Safety Director Charles Schneider said he received a call from the insurance company this morning about fire station #2. The appraiser met with the city engineer and the fire chief. The appraiser then contacted two of the five contractors that the fire chief had contacted. The scope of the work has been agreed upon. In reference to the pricing, the appraiser is coming up with a settlement price. The insurance will pay the City for the initial agreed amount but if something is missed they will come back and re-issue payment if agreed upon by all parties.

City Attorney Sandra Hemmerlein stated the record to show that two quotes were received.

CITY ENGINEER REPORTS

City Engineer Chad Hurm reported on the walking path and 4th Street projects. He also said the MS4 audit is scheduled for next Tuesday, June 15th.

HIGH WEED COMPLAINTS

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and the location that have been cited under 5.12.040 weed removal/notice. The names and locations are as follows:

Owners	Location
David Gelencher	917 E 15 th Street
Stephen and Linda Butler	323 E 10 th Street
Todd Erwin and Brent Beck	Hillside Third Ave
Gregory and Christine Birge	Lot on S Justin Replat of Paradise Place Lot 1
Fred Brockman	322 W 8 th Street
Ricky McNabb	1491 W 5 th Ave

Chief Hochgesang noted that David Gelencher lives in Canada now and is not successful in contact.

FIRE DEPARTMENT REPORTS

Vehicle maintenance report. Fire Chief Hochgesang presented the monthly vehicle maintenance report.

Equipment testing. Fire Chief Hochgesang reported that UL was here last Thursday and tested the equipment and we are waiting for the reports.

SEEK GRANT

Assistant Police Chief Nathan Schmitt asked permission to seek a 50/50 grant from the Dubois County Substance Abuse Council for a digital in-car camera for one police car. The cost for such a camera is \$2,800.00. He would like to replace an old VHS camera.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to apply for a 50/50 grant through the Dubois County Substance Abuse Council for a digital in-car camera. Motion carried 3-0.

FIREWORKS

City Attorney Sandra Hemmerlein said last year the Board made a motion not to allow fireworks to be discharged on City property including City parks. It's that time of year again with the 4th of July holiday approaching,

Mayor Schmitt said the motion made last year is again in place this year.

MICRO SURFACING PROGRAM

Street Commissioner Raymond Eckerle said he just received a phone call from Strawser. Their schedule has changed because of a rain delay and they are now scheduled to do the micro surface testing on Friday instead of Thursday as reported earlier in the meeting.

CLAIMS. The claims against the City from May 7, 2010 to June 3, 2010 were presented to and examined by the board. Those claims found to be just, due and owing were approved 3-0 upon **motion** by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

ADJOURNMENT. There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 10:02 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 22nd day of June, 2010.

Thomas R. Schmidt, Acting-Executive
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary